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March 5, 2018

Hon. Sterling Johnson, Jr.  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

Re: *Pending Motions – United States ex rel. Hanks v.  
US Oncology Specialty, LLP, et al.*, No. 1:08-cv-03096-  
SJ-RML (E.D.N.Y.)

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Dear Judge Johnson:

We are counsel for the plaintiff in the above-captioned case. The case was originally filed in 2008 and was partially settled (as to Amgen, Inc.) in 2013. Motions to dismiss the Amended Complaint and our responses were filed and argued in late 2014. No decision has yet been rendered on any of those motions. In addition, two other motions (Requests for Certificates of Default and a Motion for Disbursement of Funds *and Setoff*) have also been filed since that time and remain pending.

We have from time to time brought to the Court's attention the fact that these several motions have been pending before it for considerable periods of time.

The pending motions may be found at Dkt. Nos. 149 [Motions to Dismiss by Defendants], 150 [Plaintiff's Response in Opposition], 151 [Replies in Support of Motions to Dismiss], 158 [Plaintiff's Letter Brief in re Motions to Dismiss], 160 [Defendants' Response to Plaintiff's Letter Brief [158]], 161-62, 168 [Requests by Plaintiff for Certificates of Default] and 175-77 [Motion for Disbursement of Funds *and Setoff*].

Your Honor will note that there has been virtually no action in the case since the Motions to Dismiss were briefed and argued.

We ask that Your Honor determine whether it will be able to address the pending motions within the next several weeks and, if not, to request that the case be reassigned.

Very truly yours,

HENNIG RUIZ P.C.

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